



**BILLS ON LONDON.**  
A FEW Bills drawn and guaranteed by the Royal Bank of Scotland, at 30 days sight, on COURTS AND CO. of London, are for sale at the office of the undersigned, in sets of £ 150, 300, and 400, at the exchange of 1 | 10 per Bombay Rupee; and £ 500 and upwards, at the exchange of 1 | 11 per Rupee. From parties at out-stations, Remittances on the Civil or Military Pay Offices of Bombay, will be received in payment thereof.  
**RITCHIE, STEUART AND Co.**  
Bombay, 4th Nov., 1835.

**NEW**  
*Calcutta Laudable Society,*  
INSTITUTED ON THE 1ST JANUARY, 1835,  
BY TRANSFER FROM THE  
**Seventh Calcutta Laudable Society.**  
(The first of the series instituted on the 1st of Jan. 1795.)  
AND INCORPORATED WITH THE  
**THIRTEENTH**  
*Supplementary Laudable Society.*  
ON THE 1ST JULY, 1835.

**DIRECTORS:**  
T. E. M. TURTON, Esq. Baboo DWARKANATH TAGORE.  
R. H. COCKERELL, Esq. T. HOLROYD, Esq.  
B. HARDING, Esq. C. B. GREENLAW, Esq.  
Capt. J. W. J. OUSELEY. and  
W. BRUCE, Esq. W. H. TWENTYMAN, Esq.

The object of this Society is to secure a certain Provision at the lowest possible rate; the value of each Share at 6,000 Rupees is, on an equal return for the Premiums paid which would have resulted from the lately projected Government Insurance Office; whilst the extremely economical scale of management in the New Laudable Society, less than 1, 2 | 3 per Cent. upon the Annual Premium, enables the Directors to look forward with confidence to a considerable Surplus. They have the authority of Mr. CURNIN, that with a fair Share of the business of the Public, the rates of Insurance in the New Laudable Society, will yield, on an average, upwards of Sa. Rs. 8,000 per Share. Whatever it may be it is at present proposed to divide, the Surplus amongst the Survivors in equal proportion to the Premium paid by them respectively.—Should the Shares be continued at Sa. Rs. 6,000, and the out-turn yield, Sa. Rs. 8,000, the Society will divide amongst its surviving Members, on each term of five years, the whole of the Surplus,—being equivalent to one-fourth of the total Premium subscribed. Successive accumulations will enable the Insurer to discontinue a proportionate number of Shares; thus combining the two important functions of an Insurance Society and a Savings' Bank, upon a considerable scale. In Insurances for securing Marriage Settlements, and for other similar objects, the advantages of this system are obvious.

Hence, the above Society is strictly one of mutual Insurance, in which there is no division of interests amongst the parties concerned; consequently, there being no Proprietors distinct, from the Assured, who are at once Proprietors, Assurers and Assured, the Society stands independent of the control of individuals in the character of Patrons, Presidents, Directors, &c. chosen by a body of Proprietors, not necessarily Assured in the Society, and deriving profit from the Subscriptions of the Assured.

Half yearly Meetings of the Assured are held, to which the accounts of the Society are submitted.

**STATE OF THE SOCIETY**  
On the 1st August, 1835.  
Lives Insured } on { Shares  
481. } 1258, averaging 2 3 | 5  
per Life, or Sa. Rs. 15,600 at Sa. Rs. 8000 per Share.

**FUNDS.**  
Sicca Rupees 4,30,000.  
(Exclusive of Sa. Rs. 4000 paid on each lapsed Share, since 1st January last), invested in Government Securities and deposit of Government and Bank Stock.  
The lapses during the first half year amounted to 1, 2 | 5 per Cent. or 2, 4 | 5 per Cent per annum.  
Present value of lapsed Shares, Sa. Rs. 18,288 per Share, over and above the 4000 Rs. paid on each Share.  
Insurances taken from 1 to 10 Shares on one Life.  
Application for Copies of the Rules and Regulations of the Society.—Blank Forms for Life Insurance and Admission to the Society,—to be made to the Secretary.  
By Order of the Directors,  
J. CULLEN, Secretary.

**TO** be sold by public auction on Saturday the 21st instant, at 4 o'clock (if not previously disposed of by private offer) the well known Substantial and Commodious upper storied Building with its Out-houses, Stables, &c. and the Garden in which they lie, consisting of one and a half Wheel Oart of several Cocanut, and other Tress, a Banians' shop and an extra Stable, quite distinct from the Premises, situated in an oart called Kurwal near the Portuguese Chapel in Calbadavie, belonging to the Estate of the late Mr. CHARLES MARSHALL—For further particulars, the plan of the Premises, and the term of sale, apply to either of the Executors MESSRS. JOHN HAMPTON in the Secretary's Office, or W. J. MARSHALL, School Master, Agniary Lane.  
The Executors are under the necessity of requesting once more of those who are indebted to the Estate of the deceased, to discharge the same forthwith, to enable them to close the accounts.  
Bombay, 1st November, 1835.

**TO LET**, on hire, at moderate Rates, a commodious decked pleasure BOAT, now laying off the Apollo Bunder.—Apply to RUTONJEE HOMJEE, No. 9, Forbes Street, were every particular may be known, and attention paid.  
P. S.—The Boat may be easily known, being painted black, with a red streak, and having a Tiger Mask.  
Bombay, 4th November, 1835.

**NOTICE.**  
THE Annual Meeting of the Bombay Tract and Book Society will be held in the Scottish Mission house, Ambrolie; this day, Wednesday the 4th November, at 7 o'clock P. M.  
JOHN WILSON,  
Secretary.

**BEER.**—Hodgson, Bass, Alsopp, and Ind and Smith, ripe and of superior quality, in quantities of not less than six dozen, at SIX AND HALF Rupees per dozen, Cash. Apply to DINSHAW DADABHOY, at the Godowns of Mr. GREY.  
Rampart Row, 4th Nov., 1835.

**BILLS ON ENGLAND.**  
On sale at Messrs. DIROM, CARTER and CO'S. Office, at 1 | 11, 30 days' sight.  
Rampart Row, 4th November, 1835.

**AGRA BANK.**  
BILLS on the above Bank will be drawn for small amounts, to suit Shareholders, on application to  
DIROM, CARTER AND CO.  
Agents.  
Bombay, 4th Nov., 1835.

**PROSPECTUS.**  
**TO** be Published on the 1st of January (On English Paper and good Type) THE BOMBAY CALENDAR AND DIRECTORY, for 1836, Containing a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map); The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which, will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette office, where copies five Rupees each, will be delivered upon Publication.  
Gazette Office, 4th Nov., 1835.

**FOR SALE.**—Respondentia Bonds, each ..... Rs. 1  
Ships Articles ..... " 1  
Policies of Insurance ..... qrs. 2  
Bills of Exchange, per set. .... " 2  
Interest Bonds ..... " 2  
Bills of Lading ..... " 2  
Powers of Attorney, each ..... " 2  
All Orders for Letter Press, and Copper Plate Printing, will be punctually attended to.  
Gazette Office, 4th November, 1835.

**PASSAGE TO LONDON.**  
BY the splendid river-built Ships, both 650 tons Burthen,  
" THE CARNATIC,"  
JOHN BRODIE, Commander, and  
" THE MALABAR,"  
WILLIAM TUCKER, Commander.

The Carnatic is daily expected here, and will be quickly despatched from this.

The Malabar is expected here in this month, and will be despatched about the end of December.

The accommodations of these ships are very spacious and lofty, and both are quite new, now on their second voyage. Both vessels carry Surgeons. Apply to ADAM, SKINNER AND Co. where plans of the accommodations may be seen.  
Dady's Buildings, 4th Nov., 1835.

**FOR FREIGHT OR PASSAGE TO LONDON, AND CAPE OF GOOD HOPE.**

**THE LADY FEVERSHAM**, 450 Tons, G. WEBSTER, Commander, will be despatched early in November, calling at Tellicherry and Cannanore, carries a Surgeon.—Apply to Captain WEBSTER, on board, or at Messrs. DIROM, CARTER and Co's. Office, where plans of the Cabins may be had.  
Bombay, 4th Nov., 1835.

**FOR PASSAGE TO ENGLAND.**

**THE HERO OF MALOWN**, 500 Tons, will sail in the course of this month, touching at the Cape of Good Hope, and calling at Cork for orders. Carries a Surgeon. Apply to Captain GRUNDY, on board, or at Messrs. DIROM, CARTER AND CO'S. office, where plans of the accommodations may be had.  
Bombay, 4th November, 1835.

**PASSAGE TO LONDON CALLING ON THE MALABAR COAST, AND AT THE CAPE.**

The fine teak Ship BOYNE, of 650 tons, G. RICHARDSON, Commander, carries a Surgeon, and will be despatched on the 15th instant.—Apply to Messrs. FORBES AND CO., of whom plans of the cabins may be had.  
Bombay, 4th Nov., 1835.

**METEOROLOGICAL REPORT FOR THE MONTH OF OCTOBER 1835.**  
Ahmednuggur, 1st Nov., 1835.

| Days.  | Moon's Age. | Rain. |
|--------|-------------|-------|
| 1      | ..          | ..    |
| 2      | ..          | ..    |
| 3      | ..          | 5     |
| 4      | ..          | ..    |
| 5      | ..          | 21    |
| 6      | 0           | 93    |
| 7      | ..          | 4     |
| 8      | ..          | 11    |
| 9      | ..          | 1.60  |
| 10     | ..          | 35    |
| 11     | ..          | ..    |
| 12     | ..          | ..    |
| 13     | ..          | ..    |
| 14     | ..          | ..    |
| 15     | ..          | ..    |
| 16     | ..          | ..    |
| 17     | ..          | ..    |
| 18     | ..          | ..    |
| 19     | ..          | ..    |
| 20     | ..          | ..    |
| 21     | ..          | ..    |
| 22     | ..          | ..    |
| 23     | ..          | ..    |
| 24     | ..          | ..    |
| 25     | ..          | ..    |
| 26     | ..          | ..    |
| 27     | ..          | ..    |
| 28     | ..          | ..    |
| 29     | ..          | ..    |
| 30     | ..          | ..    |
| 31     | ..          | ..    |
| Total. | 3.29        | ..    |

S. H.

**CORRESPONDENCE.**

**INTERPRETER TO A NATIVE CORPS.**

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Could any of your numerous Military Readers inform me whether, on a Serjeant Major's passing the necessary examination in the Languages, he would be eligible to hold the appointment of Interpreter to the Native Corp to which he belongs, or to any other at the same Station, and without a Linguist?  
Your Obedient Servant,  
DASHING WHITE SERJEANT.  
GUZERAT, October 22nd, 1835.

**ANSWER TO PIPE-CLAY'S QUESTION.**

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—In answer to PIPE CLAY'S letter which appeared in your last number, I beg to refer him to the G. O. on the subject, issued by our present C. in C. in which the dress of the army is clearly laid down, and also the consequences of the "slightest deviation therefrom." As no subsequent G. O. has been issued on the subject, this of course is fully in force, and I can't conceive by what authority the divers dresses now seen at the Presidency and Poonah are worn, in direct disobedience of

those orders, and in defiance of the threats therein. "PIPE CLAY" therefore has only to dress as laid down, and though I have heard it said that some of the forbidden dresses alluded to are worn in obedience to local orders, yet such inferior authority I should imagine cannot supersede that of our Gallant Chief, and nothing, therefore, can be said to P. C. if, in this dilemma, he adheres to the orders of Superior authority.

Your Obediently,  
BEN BUTTON STICK.  
POST DOWN, 29th October, 1835.

**A NATIVE'S TALE TOLD IN HIS OWN WAY.**

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Be you kindful on poor people and give a place in the Corner of your valuable paper to the following written.

Your most faithful Servant,  
B. TRUTH.

By the Raja of Sattara is many error and contrary to rule for this cause being opened the door of oppressions upon the people who are subject of our king William fourth his Majesty is a shadow of god ever all india with this the Europeans are chroched merely by his flattery turning a way the eyes from his nature when the gentlemen giving him salutation with most Respect but he by his Pride never looking to return the salutation and making what he wishing upon the Poor People Particularly the justice is not proper by him therefore most wanted English justice for the rest to the subject Beside buying selling of slaves that is prohibited by his Majesty's grace William fourth in all india.  
27 October 1835.

\* We give this letter verbatim et literatim as it has come to us. There may be something in it deserving attention.—Ed.

**MILITARY ARRIVALS.**

**ARRIVALS.**  
Capt. W. M. Coghlan, Artillery, from Poonah.  
Capt. W. Burnett, B. E. Regt., from India.  
Lieut. Outley, 2nd Light Cavy. from Europe.  
Bt. Capt. Ridge, 13th Dragoons, from Nagpur.  
Major C. Ovens, Act. Genl., from Poonah.  
Capt. C. Conyngham, 1st Lt. Cavy., from Europe.  
Bt. Capt. Mackenzie, Queen's Royals from Poonah.  
Lieut. Drummond, 11th Regt., from Panwell.  
Lieut. T. B. Hamilton, Staff, from Deccan.

**DEPARTURES.**  
Ensign A. Macdonald, 18th Regt. N. I., to Kuldagee.  
Lieut. A. Shephard, 24th Regt. N. I., to Mahabuleswar.  
Lieut. G. H. Bellasis, 24th Regt. N. I. to Ditto.  
Bt. Capt. Parsons, 11th Regt. N. I. to Panwell.  
Lieut. Robert Lewis, 22d Regt. N. I. to England.  
Lieut. R. Hibbert, 24th Regt. N. I. to Mahabulshwar.  
Capt. E. M. Earle, 24th Regt. N. I. to Baroda.  
Lieut. Drummond, 11th Regt., to Panwell.  
Lieut. J. Pope, 17th Regt., to Hursale.

**SHIPPING REPORT.**

**ARRIVALS.**  
Oct. 31st.—Ship Gilmore, H. H. Lindsay, Master, from London; Falmouth 9th July.  
Passengers.—Mrs. Major Morrison, Mrs. Conyngham, Mrs. Outley, Miss Grant, Captain Conyngham, Lieut. Outley, Mrs. Bony, and 2 Native Female Servants.

**DEPARTURES.**  
Nov. 1st.—Ship Parkfield, K. McAulay, Master to Liverpool.  
Passengers.—J. H. Peart, 1st Lt. Cavalry, R. Lewis, 22nd Regt. N. I., W. F. Curtis, Bombay Lt. Cavalry, Captain J. Walker, R. W. Regt., and Mrs. Walker.  
Nov. 1st.—His Highness the Nizam's Barque Mahomedee, A. McIntyre, Master, to Bushire.

**SHIPS LOADING.**

For London.—Wm. Ritchie, Boyne, and Lady Feversham.  
Do. Liverpool.—Barque Syria.  
Do. Bengal.—Dauntless.  
Do. China.—William Rodgers.  
Do. Bordeaux.—Malabar.  
Do. Boston.—American.—Ship Shepherdess.

**VESSELS IN THE HARBOUR.**

H. Co's. Ship Hastings, Receiving and Guard Vessel.  
Do. Do. Floating Chapel—Aurora.  
Do. Do. Steamer Hugh Lindsay.  
Do. Do. Schooner Cyrene.  
Do. Do. Surveying Brig Palinurus.

**FREE TRADERS.**—Wm. Ritchie, Robert Quale, Princess Charlotte, Boyne, Barque Syria, Duchess of Clarence, Lady Feversham, Annandale, Emmie, Albion, Dauntless, Gilmore, and Hero of Malown.  
**COUNTRY SHIPS.**—George Crutenden, Nasrath Shaw, Barque Meccai, Discovery, Tanze, Syed Bin Calfan, Grab Shaw Byrangore, and Sir Herbert Compton.  
Portuguese.—Saudade.  
French.—Malabar and Maria.  
American.—Shepherdess, Enterprise, and U. S. ship Peacock.

**HIGH WATER TABLE.**

| 1835.         | A. M. | P. M. |
|---------------|-------|-------|
| Nov.          | H. M. | H. M. |
| 4th Wednesday | 10 34 | 10 49 |
| 5th Thursday  | 11 4  | 11 19 |
| 6th Friday    | 11 33 | 11 47 |

**TO CORRESPONDENTS.**

We have now gone through all arrears of correspondence, and sentence is passed as follows: BIBLIPOLE too prosy, and somewhat too pedantic. H. B.—T. NESTOR, JORDAIN, STRAMER, A LOOKER ON, NO LAWYER, CRISIS, all of rather old dates, and now of little interest. A LONSTONER appears under false colors.  
POONAHENSIS declined for the reasons stated in our last notice of his communication. But we shall be glad to hear from him on the other subjects he alludes to.

# THE GAZETTE.

WEDNESDAY, NOVEMBER 4, 1835.

We have the pleasure to announce the arrival of the Ship *Gilmore*, H. Lindsay, master, from London; left Palmduth, 9th July:—

Passengers by this Ship.—Mrs. Morrison, Mrs. Cunningham, Mrs. Otley, Miss Grant, Mrs. Bony, Capt. Conyngham, Capt. Otley and two attendants.

The following is a list of the passengers by the *Marquis of Hastings*, which was to sail from Portsmouth on the 20th July:—Mrs. J. B. Simson, Mrs. Capt. Naylor, Mrs. Capt. Baytes, Mrs. Neville, two Misses Anderson, Mrs. Ayrton, Miss Hewitt, Captain Naylor, H. M. 40th Regt., Captain S. B. Brown, 7th Regt., N. I. Captain Baytes, H. M. 57th Regt. to be landed at Cannanore, Dr. Neville, ditto, Mr. Benjamin Noton, and Lieut. Ayrton, Bombay Artillery.

We learn that the Governor and suite arrived here yesterday. The Commander in Chief arrived on Monday evening.

We see among the Court presentations about the latter end of June, that of Mr. Newham lately member of Council here. He was presented by Sir John C. Hobhouse, president of the Board of Control.

We see by the Calcutta papers that the memorial presented to the Supreme Government by the Merchants of Calcutta, regarding the period fixed for the starting of the *Hugh Lindsay* steamer from this Port for the Red Sea, has been remitted to the Government of this Presidency for their disposal. As no announcement of alteration has as yet appeared, we take for granted that, so far as the first named period (10th of this month) is concerned, no alteration will be made. The Calcutta people did not seem to expect that the first period would be altered, as the people in this Presidency and others throughout India had made their arrangements for the time named, but as regards the second, they entertained hopes of a favourable result to their application. We suppose the Government here will, to that extent, accede to their views.

In a Bengal Paper of the 19th ultimo we have another instance of the self-willed and mischievous policy of the Madras Government. One after another thus comes to light, and proves how essential it is that men having the power to do injury should be placed under proper restraint. The case of Mr. Lascelles it would now appear was not a singular one. There is another person at least who has been assiduously dealt by.

The case to which we now allude is that of a Mr. Bannister who had been Assay-master at Madras for some time. He, it would appear, had made himself obnoxious to the Government by attempting to check the conduct of some individuals connected with the Mint, and as a reward for his officious zeal, Sir Frederick Adam, without further ceremony, removed him from his situation.

Thinking himself thus but poorly rewarded for his labors, Mr. Bannister determined on proceeding to England, and, as a preliminary step to the representation he intended making to the Court of Directors, he applied to the Madras Government for copies of certain documents which he deemed essential to his vindication. Not only were these refused, but he was called on to make a declaration on honor that he had not retained a copy of any of these papers to which he had access as Assay-master!—with the alternative of a Court Martial in the event of his declining to obey. This declaration Mr. Bannister accordingly made.

On his appearing before the Court of Directors they immediately sent out orders to the Madras Government to let him have copies of every document which he might require for his defence. These were thereupon furnished, and on the case being submitted to the Court, they fully and honorably acquitted Mr. Bannister of the offences with which he was charged, and ordered his immediate restoration to office!

The Government of Madras has for a considerable time held a prominent place in the public prints both at home and here, and we fear these recent cases will afford no particular inducement to stay the tongue of reproach; nor can we imagine any circumstance, whether occurring from the operation of prescribed rule, or the exercise of individual will, which could justify public censure so much as the arbitrary conduct they evidence. It is a sporting with the characters and prospects of men which lead to their ruin, while it makes the government itself odious and contemptible.

The public are much indebted to the Calcutta papers for bringing these cases to light, as it affords an opportunity for those who admire, to know the objects of their admiration, and those who hate, to avoid pursuing the same course, or falling into the same errors.

The *Courier* of yesterday speaks, and truly, of the great falling off in the business before the Supreme Court here, and the likelihood of there being, in a very short time, little or no business for the Court to carry through, other than that which may appear on the criminal side. We are not surprised that such should be the case, but rather, that the business should have for such a length of time been so great as it has been. If ever there was a curse inflicted by European nations on the lands of their con-

quest, it is their Courts of Law, and the ponderous, complicated, and expensive machinery attached to them. A system, simple in design, and easy of execution, has, through the subtleties of law, and technicalities of special pleading, grown into an unseemly monster, which blocks up the path to justice, and threatens destruction to him who may be fool-hardy enough to come within its grasp. If such be the results of all this refining on common sense, then is it time that the public should think for themselves, and, if they can have their differences settled out of Court, at even the cost of a little bending of their more pugnacious propensities, we think they shew a degree of discretion which is very praise-worthy.

Speaking of the circumstances which, in England, drive business out of one Court into another, and alluding to the existence of similar circumstances here, the *Courier* says that "they tend to throw it out of Court entirely, and as a matter of course, reduce the suitors in all matters of a civil nature to that primitive state in which arbitration must be resorted to as the only mode of adjusting disputes." This, instead of appearing a vice, seems rather a positive virtue, as it indicates an absence of those fiercer passions which have, in nineteen cases out of twenty, led men to appeal to a Court of law for a redress of their wrongs. Courts of law were intended for administering justice speedily and at as small a pecuniary sacrifice to the litigants as a regard to justice would permit of, but we fear our experience of English courts will hardly bear us out in the assertion that either object has been kept so much, in view as it ought to have been. From this departure from the original design, courts of law have led to litigation for life, and ruin of all the worldly means of the suitor.

The *Courier* further adds that "we find, accordingly, that arbitration is coming into vogue more and more every day; nor are any attempts made to counteract this tendency. On the contrary, indeed, a disposition seems, as far as we can judge, to be shown by the Court to refer the cases before it as much as possible to that clumsy mode of adjudication, as if the machinery of a regular tribunal, and the forms observed in it, were not intended for common use." We do not know who could have any interest in counteracting the tendency to the practice of submitting to arbitration, unless it be those who expected to derive a benefit by a contrary course, and therefore it does not appear so very grave a charge, since the parties themselves are willing to adopt that mode of adjustment. It is their own affair, and, if they are content, it would be ill-natured to quarrel with them about it. The disposition by the Court to that "clumsy mode of adjudication" (not anything like so clumsy, by the way, as a lawsuit,) is rather to be approved of than otherwise. No man who sits on the Judgment seat can be ignorant of the frightful expense which a man is put to before he can obtain a Judgment in his suit, and, as it is not altogether in the power of Judges to alter the machinery of legal proceedings, and thus bring Justice at a cheap rate and expeditiously to the door of the applicant, they avail themselves of a discretion which, by virtue of their office, they are possessed of, and recommend that course which is most likely to give satisfaction to both parties. The only cause of regret is that the cases do not come before them at an earlier period than they do, as the recommendation to arbitrate, if then acted on, would save a great deal of expense.

The principle of submitting to arbitration was embraced by Lord Brougham in his celebrated Local Courts Bill, and was hailed by all England as a boon of the highest value. Had the Court here the power of acting as a Court of Reconciliation on Brougham's principle, it would remove the greater portion of the objections now so justly urged against the present system, and would bring justice to every man's door at a trifling expense, and a very small sacrifice of time.

A short time ago the application to the Supreme Court at Madras for a writ of Habeas Corpus to bring up the body of Vellore Soobarooy Moodelly, then in confinement at Bangalore, was noticed in this paper. At that time a Rule nisi had been granted by the Court, and we now find that that rule has been made absolute.

As the principle laid down by the Madras Supreme Court in this case appears to us to admit of question as to its soundness, and as it would establish a Jurisdiction destructive of the separate and distinct Jurisdictions which the Courts in this Country have been hitherto supposed to possess under the Acts, Charters, and Regulations by which they were erected, we deem it not out of place for us to make a few observations on the subject, as, if the principle is a sound one, it must extend to, and ought to be known in this Presidency, and if it is not a sound one, that the attention of all branches of the public service throughout India, and particularly the Supreme Government, may be directed to it with a view to such measures as may prevent its being adopted as a precedent.

For this purpose we shall give a brief outline of the circumstances which led to the application alluded to.

Soobarooy Moodelly, it would appear, had been Head Writer in the office of the Commissariat at Bangalore since the year 1822, until some few months since, when he was suspended from his office, and taken into custody under an authority from Captain McLeod of the Commissariat Department of the station.

The charges against Soobarooy were connected with the frauds lately practised in the office of Commissary of Stores at Bangalore, and for

which Captain Dickenson was lately tried, and found guilty. On the 27th May last, Soobarooy's private papers were seized and carried away from his House by the authority of Colonel Cullen the Commissary General. On the 10th June Soobarooy was called on to give security to the extent of Rs. 25,000 for his appearance when called for, which, on the 11th, he accordingly gave, and the parties entered into the usual recognizances. From the time the security had been so given, up to the time of his application to the Supreme Court (23rd September), and notwithstanding he had given such security, he was kept in constant close confinement in his own house, and a guard of Seapoys kept over him during all that time. From the time of his apprehension until the date of the application to the Court for the Hab. Corpus, no charges had been preferred against him, nor had he been brought before a Court Martial or Court of Inquiry, or any other Court, nor had he been in any manner of way called upon to answer any charge or complaint whatever preferred against him.

These seem to be the leading features of the case, and would most undoubtedly form the best grounds for granting the Writ, had the Supreme Court authority to take cognizance of the complaint. But we very much question whether they had any such authority. By the articles of War and regulations of Government, a certain Jurisdiction is conferred on the Military for the purposes specified. That of controlling the conduct of the prisoner in the duties in which he was engaged, would appear to come within the rule. The prisoner was accordingly seized, and put in confinement, yet the Supreme Court now exercises a jurisdiction over the Military authority, and in effect passes sentence on its proceedings! We have always understood that the Military Courts in this country had a separate and distinct jurisdiction, in no way secondary to or dependent on the Supreme Court;—that they had their own certain and specific forms and mode of proceeding, and were in no wise bound to consult the usages of their more civil and civic neighbour. That the Supreme Courts have shewn a strong disposition to extend their power over the widest space there are several instances on record in this country to prove, and the case which lately occurred here, in which Sir J. P. Grant took so active a part, but shews what opportunities vaguely drawn up acts of Parliament give for the furtherance of that purpose, if unopposed.

If the authority of Courts Martial and their proceedings can be interfered with as has now been done at Madras, on the same principle we shall have him who to-day is cashiered by the verdict of a Court Martial, appealing to-morrow to the Supreme Court against the sentence! If the latter has the right to interfere in one stage, it must follow that it has the same right in all stages, thus making the Military Court an appendage of and subservient to the Supreme Court.

The acts of Parliament and regulations of the Company have established separate and certain Jurisdictions to Courts Martial as well as to the provincial Courts,—the Adawlut being the Court of last resort for the one, and the Commander in Chief for the other. But we see it not written in any one Book, act, or regulation, that the Supreme Court is in any way to interfere with both or either.

But admitting for argument's sake that the Supreme Court at Madras has an equally extended Jurisdiction as the King's Bench at home (as seems to be contended), still, it has travelled, in this instance, beyond even that extended Jurisdiction, and has departed from the principle laid down by Lord Mansfield in a case of a somewhat similar nature to the present. We allude to the case of *Humphrey Wade* cited in the argument in *Blake's* case, where Lord Mansfield said, "if they (meaning the military authorities) have proceeded according to Martial law, we cannot interfere." That a Court, in the conduct and disposal of a cause, is proceeding according to the rules or laws made for its guidance, we are bound to assume, until the contrary is shewn. The affidavit produced in the present case in behalf of the Military authority, distinctly spoke to the fact that what was then being done in the case of the prisoner, was according to military usage;—meaning, we suppose, thereby, that the detention in custody of the prisoner, was necessary, and that that detention, pending investigation, and until trial, was according to military usage. That affidavit was made by Lieutenant Colonel Steel and Capt. Keighly,—the former being the Military Secretary at Madras, and the latter the Judge Advocate General—and in substance stated that a military court of inquiry had been assembled for the purpose of investigating the charges against the prisoner, and that the officers under whose authority he was put and kept in confinement were acting "in conformity with military usage in reference to courts martial, and under the authority of the Government regulations."

On this affidavit the Court was bound, on the principle laid down by Lord Mansfield, to take for granted that the Military authorities were proceeding according to Martial law, and ought therefore to have discharged the rule—in other words, dismiss the application.

It is ordered by the Articles of War that the person arrested shall not continue in his confinement more than 8 days, "or until such time as a Court martial can be conveniently assembled." In entertaining the application for this writ of Habeas Corpus, the Court has stuck itself on the horns of a dilemma which it will be difficult to get out of.

Arguing still as if we took for granted the right of the Supreme Court to interfere, we should like to hear how they are to get over the difficulty which those words, quoted from the articles of war, throw in their way? The Supreme Court does not administer martial law, and how then can they take upon themselves to say what time "a Court Martial can be conveniently assembled"?—they are no judges of the matter, and are not expected to be acquainted with Military law or usage, yet they, by granting this Writ of Hab. Corpus, have constituted themselves the Judges, and in effect disposed of the charges which hung over the prisoner's head.

One of the Judges remarked in *Blake's* case, that the Court could only inquire to the extent whether the Court Martial could have conveniently assembled before the application for Habeas was made—and added, that if the answer was given in the negative, the power of that Court was concluded; and this seemed the opinion of almost all the Judges. The affidavit of the two officers at Madras clearly shews that investigations were being carried on preparatory to a Court Martial—or in other words that the Court Martial in this case could not have been conveniently assembled before the application was made, and by that affidavit was the Court, on the principle above laid down, barred from proceeding in the matter.

But doubting as we do, the right of the Supreme Court in this country to interfere in matters which, by the law and regulations, are cognizable by Military Courts alone, we must express our wish that some law were passed by the Supreme Government which would define the limits of country and individuals subject to each Court, and thus remove those difficulties which are so apt to lead to collision between the belligerent parties.

It was our intention to follow up our view of this question further by shewing the footing upon which the provincial courts now rest, and to prove that a Court martial in this country has an equally distinct and independent jurisdiction with them, but we are reminded that our space will not allow us to do so at the present time.

Having said this much about the Jurisdiction of the Supreme Court we cannot close our remarks without expressing our extreme surprise and regret that the Military Authorities should have found it necessary to keep the prisoner in a state of duress for so long a period of time! The allowing the application for Habeas Corpus to be followed up to a decision, gives an idea that they did not deem it essential to bestir themselves, and, if we could for an instant allow ourselves to approve of the interference of the Supreme Court, it would be on the ground of their protecting unfortunate individuals from the consequences which such dilatory proceedings entail on them. The fact of security to a large amount having been demanded and given, and the individual, notwithstanding, made a prisoner and detained in custody, also seems to require explanation, which we hope the superior Military Authority will call for. That explanation is necessary, as the facts stated in the affidavit of Col. Steel and Capt. Keighly do not sufficiently account for either the delay, or the course pursued towards the prisoner.

## CALCUTTA.

A court-martial consisting of the following officers assembled in Fort William on Saturday, for the trial of Captain P. O. Hanlon, (under suspension) 1st Light Cavalry, on the following charges preferred by Colonel S. Reid:—

With scandalous and infamous conduct, unbecoming the character of an officer and a gentleman, and subversive of military subordination, in having published in the *Meerut Observer* of the 23d April 1835, a letter, dated Cawnpore 19th April 1835, containing false and unwarranted imputations, deeply injurious and disgraceful to my character and to that of Captain J. A. Scott, of the 1st Light Cavalry.

The following officers compose the court-martial:—

|                             |                          |
|-----------------------------|--------------------------|
| Brigadier PARRY, President. |                          |
| Col. Lindsay, C. B. Art.    | 38th.                    |
| Major Johnston, H. M.       | Lieut. McDonald, Art.    |
| 44th.                       | Lieut. T. W. Halfhide    |
| Major Young, H. M.          | H. M. 44th.              |
| 55th.                       | Lieut. G. H. Smith, H.   |
| Capt. Sibbald, 41st N. I.   | M. 44th.                 |
| Capt. Campbell, H. M.       | Ensign J. Phillott, 10th |
| 38th.                       | N. I.                    |
| Capt. Oliver, 73d N. I.     | and                      |
| Capt. Collins, H. M. 44th.  | Ensign J. W. C. Chal-    |
| Lieut. W. Deane, H. M.      | mers, 43d N. I.          |

Colonel Reid closed the prosecution on Saturday, and the court adjourned till eleven o'clock this morning, at the request of Capt. O'Hanlon.

We are precluded from giving any particulars until the court martial has terminated, but we cannot deny ourselves the gratification of acknowledging the courtesy of the president of the court in permitting our reporter to take notes of the evidence. We lay the more stress upon the circumstance because it strongly contrasts with the bearing of a certain brigadier upon a former occasion.—*Englishmen*, Oct. 19.

## EAST INDIA MILITARY HONORS AND FURLOUGHS.

(From the United Service Gazette, June 6.)  
A writer in the *East India United Service Journal* urges forcibly upon our Government the necessity of making some new regulations in the distribution of honours to the officers of the East India Company's Army, the selection of functionaries, and as to the rule regulating furloughs. The question is entitled to consideration; for, if his statements are entitled to credit, it appears that the East India service officers in those particulars are very unfairly dealt with. The regulation of 1796 attached a certain number of general off-

care to the Indian Army, and an expectation was held out, that the same number would be maintained, and that an increase would take place, in proportion as the strength of the army was augmented. Yet, at the present moment, not a single officer of that rank, is to be found upon the staff or in Bengal, except one or two individuals who have finished their military career. 'If,' remarks the writer, 'the granting this rank cost any thing, the policy of withholding it might be understood; but as little or no additional expense would be incurred; the denial of it implies an utter neglect of just claims of the army. A similar deprivation has been extended to the Captains of the Army. Formerly a service of ten or twelve years in that rank entitled them to the brevet of Major; of late years this distinction has been withdrawn. No additional expense would have been incurred. It is true, the honours of the Order of the Bath have been opened to the ambition of the Company's officers; but field-officers only are eligible for such distinctions. To rectify this he proposes that the Government of India should institute another of merit, in which successful ability might have its claims registered, whether displayed in the civil, the medical, or the military profession, in all its various departments, from which list the Commander-in-Chief, or Governor-General should fill up all vacancies in the situations of the service.

It also appears that the promotion of officers is regulated without attention to the merits and claims of other officers of long standing—men of inexperience, and whose previous habits unfitted them for their several duties being generally selected. But the greatest grievance, as it strikes us, is the restrictions of the furloughs. At present a second furlough may be obtained on urgent private affairs for one year; but no pay is allowed, so that a subaltern who may have taken his furlough after ten years' service returns, and some 12 or 15 years afterwards finds himself only third or fourth Captain in his regiment, with a constitution somewhat debilitated and a few thousand rupees in his pocket, just sufficient to enable him to spend a couple of years at home with the assistance of his pay. Under these circumstances, the wish arises to revisit his native land; but a sick furlough cannot be obtained without dissimulation and a degree of self-abasement which no men of honour can submit to.

No such restriction prevails in his Majesty's service: an officer of 25 years' service in India may within that period have had three or four furloughs of two years each. It may be objected, that the granting a second furlough would be prejudicial to the interests of the Army, in as much as it would prevent officers from retiring. To this the writer replies: Men going home at an early period of life would be more likely to engage in some other pursuit, either in their own country or the colonies; they could more readily adapt themselves to a limited income, and would thereby be far more disposed to come to an arrangement with their brother officers; in a word, a second furlough would hold out temptations to retiring which are not afforded at present. But it is a vain hope to expect promotion from the present annual number of retirements; the records at the India House shew, that not more than one cadet in twenty, since the year 1780, has actually retired upon his full pension; in the present deterioration of the service it cannot be reasonably calculated that more than one in fifty will retire in future. The present restriction with regard to granting furloughs being inoperative as to furthering promotion, ought to give way to another rule better adapted to promote the general interest and happiness of the Army. Another boon of a similar nature might be conferred without costing any thing to Government. At present Indian allowances are given to officers proceeding on sick leave to the Cape or New South Wales, but would not be granted in the event of their proceeding to Egypt, Italy, the shores of the Mediterranean, or North America; yet all these delightful countries might be visited within the two years allowed; and if the cost to Government is the same as if they visited the Cape, why refuse its officers the mere liberty of selection?

In another part of the same publication, a letter from an officer, which, though it is written in a bullying spirit, and couched in the most extravagant language shows that discontent exists, and points out to our Government the urgent necessity of silencing at once, by the removal of every reasonable cause of complaint, those discontents which, if unchecked, may lead to unpleasant consequences. He concludes his rhodomontade with this menace:—Our united cry for justice will not—dare not be disregarded.

Last night was one of the most tempestuous nights we recollect for many years. It came on to blow yesterday evening from the E. N. E. veering to southeast and increased during the night to a perfect hurricane. The heavy gusts of wind came on with a tremendous roaring like the noise of a heavy surf and the rain fell in torrents throughout the night. An Arab ship has been totally lost and 48 lives. Several boats have been stranded also.

During the night, or rather early this morning, in the very height of the gale, and when the rain was pouring down in torrents, and darkness also favoured the design, an attempt was made to break into the Treasury, and some shots were fired by the Sipahis of the guard; but the villains made off, and none of them, we believe, have yet been apprehended.

We have since learned the following particulars of this affair.

It appears, that about half past two in the morning in the very fiercest part of the gale, the sentry on the hollowest side of the general treasury, saw five or six persons with a bamboo ladder, and heard them talking of their plan—which was to ascertain if the sentry was asleep, and if he was, to kill him, and then make their way into the building. The sentry hearing this, immediately loaded his musket with ball, and perceiving one of the gang get over the gate, (for the purpose, it is supposed, of discovering whether the sipahi was awake,) immediately fired at the fellow, upon which the whole party fled carrying off their ladder, with them. The sentry again loaded and fired a second time at the men as they were retreating, but without effect. The report of the firing alarmed the havildar and the guard and they all immediately came round to the place where the sentry was posted, except one sipahi who was dispatched to give information to the Havildar of the Governor General's guard. He

also immediately came to the Treasury without about 50 men and by a most careful search ascertained that no entry into the Treasury had been made.

The party of thieves had effected their escape it seems by the narrow lane which goes round by the Town Hall. The Government House sentry at the southwest gate on hearing the noise of their footsteps, challenged them and receiving no reply fired at them but without effect.

An investigation took place this forenoon under the superintendence of a police Magistrate but nothing has been elicited we believe, beyond what is stated above.

When we consider that there is a strong guard at the Treasury, that there are sentries all round the building, and that those on the west side are within speaking or calling distance of the sentries of the Government House where there is also another strong guard, we certainly are rather surprised at the amazing audacity of this attempt to rob the treasury made by half a dozen natives. It is possible that a bold attempt with a large gang of desperadoes might effect an entry into the treasury, though we would not give much for their chances of escape, but for five or six men to make the attempt is indeed as absurd as it is villainous: they are supposed we learn to be up country people.—*Bengal Hurkaru, October 19.*

We copy from the *Courier* an interesting letter on the Jeypore affair which throws further light on that tragic event. The writer appears to have taken some pains to collect facts. Of his inferences our readers may judge for themselves. Whether the Majee was or was not the source of the commotion, the conclusion is inevitable from the facts that the tumult and the object of it must have been known at the palace in ample time to have enabled the authorities to have prevented the catastrophe had they been so disposed. It is quite obvious that the ill-fated Mr. Blake was convinced that protection was not to be expected from the palace, or he would have made his way back there. If the *Courier's* correspondent is correct, the executions which have taken place of a few of the Meenas, were absurd if not absolutely unjust while the greater criminals escape. The respectable Shopkeepers—the Priests, all Jeypore indeed urged on the assassination. After this what a mockery to hang a few Meenas; and above all what folly to execute the fellow who gave the murdered Mr. Blake the last stab, before he could confess who employed him—a pardon should even have been offered him if he could secure the conviction of the greater villains, greater in rank, greater in crime. After the Delhi execution, we can entertain no fear for the firmness of our Government, but what in the name of common sense induces them to withhold the publication of their ultimatum to the Jeypore Court? They should have it published, translated into every native language, and widely circulated all over India without delay, that it might be known that although delayed the necessary investigations the British Government had resolved on having ample atonement for the past—and full security for the future.—*Ibid.*

#### THE JEYPORE BUSINESS.

A most interesting paper will be found in our columns, sent to us by a Mofussil correspondent under the signature of "Hirtius," as a summary of the evidence on the Jeypore business, as far as evidence has yet been obtained. The summary, it will be observed, like the summing up of a Judge upon the bench, is both an abstract of the facts and a commentary upon them. Our correspondent has summed up strongly against the Majee and two Chiefs Hunwunt Sing and Jewun Sing and the Darogha Monalal, as implicated in the atrocious affair; and the decidedly hostile part taken by the priests and by the soldiery in aid of the populace, is fairly adduced as more than suspicious symptom that the attack upon the British functionaries was instigated by persons in authority, or by persons possessed of very powerful influence.

The exculpatory statements which appeared soon after the affair, ceased to carry much weight since we heard of the seizure of the papers of Jotaram and others and since it has been rumoured in the Mofussil journals that our troops expect to be employed in the Jeypore territory with a view to some political arrangements. We hope it will turn out that this is true, and that crimes of the blackest character committed against ourselves, and internal misgovernment of the worst kind, will have atonement in a reform arising out of a more intimate connexion with our system, and the wholesome control of the Supreme Government of India.—*Ibid.*

To the Editor of the Calcutta Courier.

Sir:—Perhaps you will do me the favor to give a place in your paper to the following summary of the evidence that has up to the latest accounts I have heard or seen, been obtained, regarding the late affair at Jeypore, which must be considered as one of very great importance not only to us but to the people of India generally.

The Minister and feudal chiefs attended Major Alves and his party to the inner palace gate, outside which he was to mount his elephant—the Minister's son, Indur Sing, and Monalal, Darogha, Sarawjee of great influence in the Queen Regent's Council, attended him to the elephant. The Minister's other son, Sewn Sing, returned soon after his father, but remained below. The only two chiefs who entered the palace at the same gate with Major Alves, were Row Hunwunt Sing and Row Jewun Sing; and when Major Alves was cut down, and during the whole quarter of an hour that Blake was employed in securing the assassin, their armed escorts neither offered any assistance nor manifested any signs whatever of dissatisfaction: on the contrary, they showed a disposition to interfere to screen the assassin. The two sons of the Minister remained with Blake during the whole time that he was engaged in securing the assassin, and he told them, "that this man must have been employed by others to attempt this atrocious murder, and that he would trace the authors and bring them to punishment." Some man present desired Luchman Chuprassee to urge his master to mount and be off, or the people would use their swords; and Blake ordered Kour Sing, to bring ten of the Rajah's Sowars, and he demanded them from Monalal, who appeared to be much agitated in mind, and ordered twenty to attend, but none came; and at this time were heard behind the purda the fatal words, do not let

him escape alive." The Rawul and feudal chiefs were prevented from being where duty and honor called them, by the side of those who, confiding in that honor and duty, had come unattended and were now in such peril by a reported squabble among the women Akber Alee, Mr. Blake's Sowar, seeing the danger around him, urged him to mount and leave the palace; the source as he supposed of the danger. He at last mounts, but between the inner gate and the outer or Tripolee gate of the palace the assault began, and the guards of the last gate joined in, and called out to kill him! kill him! Soon after leaving this gate, Blake seeing no other chance of escape, sends on his Sowar to acquaint his friends at the Residency of his danger; and this showed that he considered his danger to arise from the palace, as he would otherwise either have gone back or sent back.

The whole street through which he passed joined in the assault—all cried out, kill him! while not a voice nor a hand was raised to assist or implore assistance for the poor young man. The shopkeepers in their shops, respectable citizens from the tops of their houses, urged on the assassins—twenty priests were on the top of the temple in which he at last sought an asylum, aiding and abetting them, while one of the feudal chiefs, with his retainers, (Shamjee Hugga Thakur of Balara) was smoking his pipe in the next room, and rejoicing in the scene. Kunjeet Sing, and one of Monalal Darogha's armed servants, was present all the time, urging on the assassins, with his badges of office on, to shew that the deed was the deed of the Court—he himself gave Blake the last stab, and went into the room of the feudal chief, wiped off the blood of the British functionary from his sword, face and hands in his presence, and smoked his pipe with him. The priests from the temple and the citizens from the house-tops, when they saw the body of Blake dragged out, applauded the Meenas for the glorious deed by which they had vindicated the honor of their Government! and the servant of the Darogha, and the Court, not satisfied with giving Blake the last stab himself, dragged the body out into the dirt of the street. This man, while Blake was yet in the temple, swore to him by the Ganges and Jumna, that if he came out he should not be hurt—and he told the chief with whom he afterwards smoked his pipe in the next room, on being asked whether the body had been thrown out, that he had himself dragged the body from the temple into the street. On his way home he visited Bhyroon Sing and Lal Sing, the chiefs of Ramgur, and exultingly told them the same story. This wretch avowed all this before his own Government, and before the British functionaries, and is executed before he can tell who employed him. He was a Sipahce in the Regiment of Zollim Sing, and had been for a month stationed at the new temple under Monalal Darogha. The servants of the State who cut and stabbed Blake, saved the driver of his elephant; but as they were taking him back through the Tripolee gate, they were desired by one of the officers on duty not to murder the servants of the Sahib; and the man who requested this of course, said that they were taking him to the palace to murder him.

When the Sowar and three Chuprassee left by Blake in charge of the assassin, set out about ten minutes after him, a great body of Cavalry and Infantry at the Tripolee gate, commanded them to release him, as he was one of their own soldiers; and the Durwan of the gate himself made a cut at the Sowar; and all the guards joined in the attack of the party and the rescue of the assassin. On hearing of this rescue, the Minister sent a Man Gunga Bishun, at the sight of whom the crowd around the assassin dispersed showing clearly that they were not unwilling to obey orders from the Court; and that had a single man from the Court opposed the murder of Blake, it never would have been perpetrated. How was it that no such man was present? The sons of the Minister were present while the danger was gathering around Blake, and the escorts of the Thakurs and the guards at the gates were swelling upon him. They could not have been blind to all this; and had they had any sense of honour or of duty, they would never have left his side till they had seen him to his home. Hidayat, one of the assassins, deposes that, on going to the Tripolee gate under the vague instruction to assist in an attack upon the Thakurs or the Rawul, he heard the people cry out that "the Sahib (Blake) was not to be suffered to escape alive;" and though his testimony does not separately seem entitled to much credit, this part of it is strongly confirmed by the words heard from behind the purda. Tarachund, who had the command of the Meena guards, heard of the uproar, but did not send to quell it till he got an express order from the Minister and then he sent a Hurcaru who arrived too late. Blake was in the temple more than half an hour—and with all the impediments in his way, he must have taken more than half an hour to get there—the distance is only half a mile from the palace, and the assault commenced at the palace; will any man in his senses believe that there was a single man in the palace uninformed of this danger? Every man must have known it—and fear and treason alone prevented their rushing to the rescue.

Row Hunwunt Sing declined attending the Minister on his first visit to Major Alves after the murder—has shown himself averse to assist in the investigation ever since—has declared Monalal Darogha to be a very worthy man, and all those against whom the strongest proof has been brought to be entirely innocent. Row Jewun Sing cannot be persuaded that any man was guilty; and though "extremely desirous to please the Queen Regent and Major Alves," really could not attach suspicion or impute blame to any one. These two men are members of the Ragency Council, but dissatisfied with the Minister and other members and in the exclusive interest of the Majee and the Sowarjes.

In fairness to the accused, it should be stated that the accusative pronoun is in Hindoostanee, the same for him and for her—it might therefore be "let her" or "let him not escape"—and some one might have been ordering the execution of the Queen Mother instead of that of poor Blake. But I fear all the story about the dragging: she got at this moment is a fabrication. When the score of Brahmans on the top of the temple saw the Meenas approach, they called out "now the gentleman will be murdered and the honor of the Raj vindicated, for the Meenas are coming."—Some one asked, why Meenas—they replied "the Meenas of two guards."—This indicates that the Meena guards had been sent for.

They were both with the Minister when Alves was cut down, and assisted in preventing his going to the spot when he heard of it, while their escorts looked on with indifference or assisted in the assault on Blake and the rescue of the assassin. Is it possible for any man to believe that in this conduct they did not consider that they were fulfilling the wishes of their Masters and the Queen Mother?

The conclusion from all this appears to me to be almost irresistible—that the Majee, or Queen Mother, was the source of this treachery—that the two chiefs, Hunwunt Sing and Jewun Sing, and Monalal Darogha, and all their dependants, were among the instruments for its execution; and that Beree Sal and his two sons, if not implicated, are base cowards, men without one particle of courage or honor in their composition, and unworthy to be treated as gentlemen, or trusted as public officers. If the motive was at the same time to disgrace Beree Sal the Minister, and to gain popularity among the multitude by the massacre of the British functionaries; as seems probable, the conduct of the Minister and two sons is to be accounted for only on the supposition that they were base cowards, and dreaded to expose their lives in the attempt to rescue these functionaries and save the honor of their State.

I consider every man in the City, or at least every man in the palace and in the part of the town through which Blake had to pass, as deeply implicated by omission or commission in the guilt of his murder; and no atonement can justly be deemed sufficient that does not involve the punishment of the whole. All thought, no doubt, that they were acting in conformity to the wishes of the Court; but all, at the same time, knew their Court, in signifying these wishes, was violating the laws of nations and of nature; and, in effect, declaring war against the Government which these functionaries represented. "War, war to the knife!" was at that moment proclaimed throughout the City of Jeypore, from the Mother on the throne to the wretches who dragged Blake's body in the dust, or applauded the murderers as having vindicated the honor of their Raj; and the Government that does not answer the call by a "Trumpet sound" to arms must inevitably sink in the estimation of every Native State in India. The existence, of Jeypore as an independent State after this base and cruel murder, and outrageous defiance of our power, I consider as entirely incompatible with the long continuance of our rule in India, because we shall be every where despised, and once generally despised we shall cease to rule. That, perhaps, as a citizen of the world I might care little about, did I not at the same time believe that on the existence of our rule depends the welfare and happiness of the hundred millions of my fellow creatures who people this land.

It must be understood, that it has at Jeypore been the custom for the representative of the British Government to rely for protection on the Court, and to go on his visits unattended, not only into the palace, but through all the streets of the City. This was always understood by the Court, who had an army at its disposal; and yet out of that army not a soldier was found ready to prevent the attempt to murder this representative—to assist in securing the assassin when taken into custody by his friends and unarmed attendants—or to tell the crowd that the murder of the party would be displeasing to the Court. There were hundreds—nay thousands of the soldiers of that army either calm and indifferent spectators of the whole, or instigators to the murder; for the armed followers of the feudal chiefs are all parts of the army, and paid as such out of the results of the land assigned to their leaders in Military tenure. These leaders and their retainers all knew the nature of the tenure on which they held their lands—that it was Military, and held only on condition of doing their duty to their Government as good soldiers; and they all knew that it was their duty to save their Government from the disgrace, and the consequences of the massacre of the representatives of the Supreme Government, who had come to them by invitation, unarmed and unattended, and relying upon their honor as a sufficient safeguard. They knew all this; and had they not believed the deed to be that of the Court, they would never have suffered it to be done. I am disposed to think that it was the intention to murder the whole party, and that the circumstance of their rising sooner than was expected, obliged Futeh Sing to strike the first blow before the other assassins were ready to act the parts assigned to them.

Row Hunwunt Sing has been suffered to retire to his estate with all his base and infamous train of followers unmolested, and unsuspected I conclude; and Monalal Darogha was about to go on a pilgrimage by permission of his Mistress the Queen Mother, when Major Alves wisely interposed and had him put into confinement. He and the other influential Sowarjes with as much pleasure as Cooper's "Hawkeye" would shoot Mangoe, but he has not the courage to attack the higher game—he will not venture to make Martyrs, and he knows that while Jeypore is suffered to retain its independence, the people will canonise every Rajpoot Thakur that suffers for his share in this crime—that his memory will be honored by the citizens, and his family will be enriched by the Court.

Beree Sal could not prevail on Hunwunt Sing to accompany him in his first visit to the Residency after the murder; but he induced Jewun Sing to go, as the only other chief in whose report of the conference the Queen Mother would place entire confidence. Both these chiefs are always identified with the Queen Mother; and it is almost impossible to doubt that they were implicated in the attempt on Major Alves's life, and in the murder of Blake. When Beree Sal was trying to muster courage to go out to Blake after Major Alves had been cut down and carried off—these were among the men that drew him back—while he was calling in vain for a few Sowars to accompany him, that he might follow Major Alves, and ask after his wounds, their attendants were at the door swelling upon poor Blake, and the gates were crowded with armed retainers, horses and foot!—With all this evidence before him, can the heart or the head of any man acquit these chiefs and their followers of the treason and the murder?

HIRTUS.

*Ibid.*

## EUROPE.

## A THIRD RESTORATION IN FRANCE.

It is stated in the Paris correspondence of the *Times*, that the exiled Bourbons, with the aid of the Holy Alliance, are meditating a junction with Don Carlos in Bilbao, in defiance of the British cruisers. The writer says—

"At first it was scarcely credible, but now it is past all doubt, that the infatuated exiles at Prague have it seriously in agitation to throw themselves into the breach established by Zumalacaregui, through which they fondly hope, by forcing an invasion on the French territory, to realize all their day-dreams of a third restoration. It is no secret that the French Government have regular agents at Prague for the purpose of observing the proceedings of the exiles and their adherents, and reporting their movements in Paris. One of these agents arrived here yesterday, having thought it necessary to communicate the result of his recent observations in person. His monstrously absurd report is, that the Duke d'Angoulême, accompanied by the ex-Dauphiness and the Duchesse de Berri, is really about to place himself at the head of an expedition preparing in Holland, which is destined to act as an auxiliary to the insurgent arms of the Spanish Pretender. It is further stated, that the present attack on Bilbao forms a part of this combined movement, the possession of a seaport being indispensable to the arrival of those welcome supplies. The stock-purse of the Holy Alliance having been placed at the disposal of his Dutch Majesty, he has undertaken to furnish 6,000 men, and to contribute 6,000,000*fr.* to the military chest of the pretender."

All this seems sufficiently improbable; but it is difficult to overrate the extent of Bourbon infatuation, and it therefore may be true.—*The Spectator*, June 27.

## GREAT ABUSE IN PUBLIC CHARITIES.

**BERKHAMPTSTAD SCHOOL.** On Wednesday, Lord GRIMSTON presented to the House of Commons a petition from the inhabitants of Great Berkhamptstad, in Hertfordshire, praying for the interference of the House, to compel a proper application of the funds of their public school. Lord GRIMSTON briefly stated the case of the petitioners; but Mr. AUSTON entered into more particulars. The Master of the school was Dr. DUPRE, and the income of the property was nearly 800*l.* per annum.

From the year 1811, the time Dr. Dupre succeeded his father in the Mastership of the school, to 1832, the reverend gentleman had wholly absented himself from the school, or rather school-room, for during the whole period there were neither scholars nor Under-Master. In these twenty-one years not less a sum than 15,645*l.* was received on account of the charity, and paid over to Dr. Dupre as trustee. How was this large amount disposed of? By the terms of the charter of charity, its funds were to be appropriated to the education of "144 children in all useful learning;" and if after this purpose was fulfilled, there remained any surplus, such surplus was to be applied to the use of the distressed poor of Berkhamptstad. Had the funds been so applied? In no one particular. From a statement collected, drawn up, and signed by the Honourable Granville Ryder, and several other gentlemen, the unquestionable correctness of the document, it appeared that this 15,645*l.* had been disbursed in the following items:—Master's salary, 5,993*l.*; repairs of the school-room and expenses, 2,100*l.*; Under-Master's salary, 2,992*l.*; law expenses arising out of an investigation of the case, 2,700*l.*; and a surplus of 1,859*l.* Upon these items he would observe, that neither Master nor Under-Master had made his appearance on one single occasion, during the whole course of twenty years, although Dr. Dupre had a letter of licence from his living in Lincolnshire on the pretence of his having to fulfil the duties of this mastership; that the law expenses were incurred solely in consequence of their gross misconduct and neglect; and that of the surplus, not one farthing had been paid to the poor of the parish, according to the terms of the charter. In 1832, Dr. Dupre had come to an arrangement with the parishioners to open the school in the terms of the endowment; but he had shortly after refused to stand by this agreement; and at this moment, instead of 144 children being educated "in all useful learning," there were but nine boys in the school, and these Dr. Dupre refused to teach any thing but Latin and Greek. The case was one of gross abuse, and excited general indignation in the country; and he trusted the House would interfere in the matter.

Mr. WARD remarked, that this abuse was only one of a class which required effectual remedy.

One of the items of expenditure was 2,992*l.* for salary to an Under-Master. Now it was a singular feature in the case, that the existence of any Under-Master at all, was matter of very strong suspicion. At least no such person had honoured the school-room with his attendance; except, indeed, on one occasion, when Dr. Dupre, being challenged to produce his Under-Master, a gentleman from Cheltenham was by the reverend Master introduced to the parishioners as his Under-Master, and went through the duties of that office for three weeks, after which arduous labour he went away, and was seen or heard no more of. The "garnishing of the King's sails," with all kinds of useful knowledge which by the school charter described as

the object of its endowment, had indeed been a matter so little attended to, that not a single child had for a long period of time derived the slightest advantage from the charity.

After some remarks reproaching the conduct of Dr. Dupre, from Mr. GOULBURN, Sir E. KNATCHBULL, Mr. WILKS, and Sir E. COBBINSON, the petition was laid on the table.—*Ibid.*

Dr. DUPRE, the non-resident Master of Berkhamptstad School, is surely very ill-used by the Tories. What is there in his case which should excite their reforming ire? He merely does that as a schoolmaster, which some hundreds of clerical and not a few lay sinecurists are constantly perpetrating, not only without animadversion, but with the cordial approbation of the Tories—he pockets the public money without performing any duties in return for it.

From the statement of several Members of the House of Commons, it appeared that Dr. DUPRE has received from 600*l.* to 800*l.* per annum since 1811. This money was left for the purpose of "garnishing" 144 boys with useful learning; but Dr. DUPRE, and his Usher, (whose very existence, by the way, is problematical,) are the sole trustees; and they find it impossible, we presume, conscientiously to aid in the spread of education among the lower classes; so Dr. Dupre has appointed a Mr. DUNCOMBS his collector of rents, and resides on his living at Lincolnshire; except when he wishes to absent himself, and then he makes use of a licence granted by the Bishop of Lincoln in order that he might attend to his duties as a schoolmaster, the Bishop never having inquired whether these duties were really performed, or not. This is creditable to the Bishop, and shows how careful he is to put an end to the non-residence system in his diocese.

This case Lord GRIMSTON brings before the House of Commons, and Mr. GOULBURN and Sir EDWARD KNATCHBULL are shocked at its enormity. But Mr. WARD said truly, that the Berkhamptstad case was only one of a class; and there must have been many Members present who could confirm the statement. Whose fault is it but the Tories' that the abuse was not remedied twenty years ago? Who refused to allow inquiry to be made, by the Charitable Commissioners, into the mode in which public school funds were applied? Dr. DUPRE, at the time Mr. BROUHAM's Commission was issued had been some years in the receipt of his 600*l.* or 800*l.* a year; but the Tory majority of the House of Commons refused to allow any inquiry to be made into his mode of school-keeping;—thus effectually, though indirectly, lending their sanction to his malpractices. On Mr. GOULBURN, Sir EDWARD KNATCHBULL, and their Tory friends, rests the disgrace and real blame of the continuance of the Berkhamptstad abuse. Therefore we say that Dr. DUPRE is hardly treated by them. They are "showing him up" now, for doing that which they have repeatedly by votes and speeches defended, approved, and encouraged in others, some years ago.

The *Standard*, however, is quite delighted at the opportunity thus presented to the Tories of doing a little bit of Reform, or making a pretence of doing it—

"Lord Grimston has done himself great honour by the bold and uncompromising manner in which he brought forward this very bad case. We are glad that it was a Conservative nobleman who executed the task; and we are not less pleased to find Mr. Goulburn assisting in it. As Conservatives, they have a twofold interest in opposing every abuse. They are, first, interested to remove every occasion of a just general discontent from the people, in order to preserve their attachment to the Constitution; next, they are interested to show that this is their determination, in order that they may stand right before their fellow subjects."

This is very edifying, when it is remembered who have been the most staunch defenders of abuses, secular and ecclesiastical, for so many years and who are now labouring, as openly as they dare, to obstruct a measure which must in a vast number of cases put an end to the same species of abuse;—that which Lord GRIMSTON and the *Standard* deem so enormous at Berkhamptstad. Our contemporary praises Lord GRIMSTON for the "bold and uncompromising manner in which he brought forward this very bad case." There really seems to be nothing so very chivalrous in the affair—on the face of it; but perhaps there is more than meets the eye. DUPRE is a suspicious name: is the reverend gentleman connected with the Tory house of CALDON—the patrons of Old Sarum, the DUPRE ALEXANDERS? If he is, then indeed Lord GRIMSTON may be called a bold man.—*Ibid.*

The *Gazette* of last night contains an Order in Council, dated the 25th inst. directing that the assizes for the county palatine of Lancaster, hitherto holden at Lancaster, shall in future be holden at Liverpool and Lancaster; the county to be divided into two divisions, northern and southern; the assizes for that part of the county to be called the northern division, including the hundreds of Lonsdale, Amounderness, Leyland, and Blackburn, to be holden at Lancaster, and those for the southern division, including Salford and West Derby, to be holden at Liverpool; and that the Castle of Lancaster be the county goal for the Northern division, and the House of Correction at Kirkdale that for the Southern.—*Ibid.*

## THE "TOMFOOLERY" AT EXETER HALL.

It is a difficult matter to persuade even the

most ignorant people in this country that their Roman Catholic fellow citizens are the base wretches that the High Church bigots, for their own purposes, do not scruple to represent them to be. The lives of Catholics give the lie to the slanders of Orange parsons and factionists. Perhaps the most bigoted, the most devoted Catholics in Europe, are the people of *Alsace*; yet there is no people in Europe so free from crime. But we need not go abroad for proofs of the monstrous folly and injustice of the slanders which are now profusely heaped upon the professors of the religion of *PANATON*, *BOSSUET*, and *PASCAL*. In our own country, who would object to place confidence in, or to have dealings with a person, high or low, merely because he was a Catholic? Is Lord *SURRAY* less trustworthy than Lord *STANLEY*, or Mr. *O'LOUGHLIN* than Sir *ROBERT INGLIS*? Are not Catholic merchants as honest, Catholic soldiers as faithful and brave, Catholic women as virtuous, as Protestants? His experience must be very limited, or his partisan bigotry exceedingly intense, who says "no" to these queries. You cannot make a man believe that to be true which every day of his life he finds to be false; and therefore it is, that in spite of all the efforts of the Orange party in this country and in Ireland, to create dissension and distrust, there is a kindly feeling growing up between the people of both countries; and this disposition to live in amity is encouraged and fostered by the measures and declarations of the King's present Ministers.

It was in pursuance of the disloyal design to create hostility where peace should always be, and with the ulterior view of forwarding certain party projects connected with the support of Ecclesiastical abuses, that some itinerating Irish clergymen called a meeting to be held on Saturday last at Exeter Hall. The ostensible object of the meeting was to inform us, ignorant, benighted Englishmen, as to the real nature of the Catholic faith. On this side of the Channel, it was taken for granted, that no means existed of acquiring correct information on the point; wherefore several Orange parsons were despatched from Dublin to enlighten our darkness. This of itself was sufficiently impudent; but the way in which these missionaries set to work was an insult to the good sense of the community, though it seemed perfectly right in the eyes of that brazen-faced sinner, Lord KENYON, and Sir HARCOURT LEE's patron, Lord ROMEY. Tickets of admission were given to those only who were known or believed to be of the right Orange hue; so that the Hall was filled with a picked multitude of fiery zealots, ready to give an unanimous assent to whatever might fall from the lips of the orators of the platform. Notice of the meeting had been given, it is said, to the Catholic Bishops, who were invited to authorize some person to speak on behalf of the arraigned religion; and Mr. O'CONNELL was also requested to attend, in order to admit that a certain book to be produced, as containing a true account of Catholic doctrines, was so considered among Catholics, or to impugn its authority. Of course neither the Catholic divines nor Mr. O'CONNELL took the least notice of the communications addressed to them for such a purpose, from such a quarter; and the Orangemen held it all their own way,—for they would not permit some unauthorized persons, who wished to speak, to say a word on the question in dispute.

The first performer on the platform was the Reverend Mr. M'GHEE; who produced a book, which we dare say, the immense majority of Catholics never heard of, entitled *Dens's Complete Body of Theology*; published, in Latin, in 1838. This book, it was asserted, had been circulated to the extent of 6000 copies among the Catholic priesthood, with the sanction of their Bishops; who also directed certain parts of it to be taken as the basis for discussion in the seminaries of their order. It was declared to contain the true exposition of the Catholic faith; and Mr. O'CONNELL was formally cited by Lord KENYON, the Chairman, to gainsay the assertion if he could. Mr. O'CONNELL, as we have before said, was not such an ass as to accept the invitation of the Protestant agitators; and so judgment against the whole body of Catholics was incurred by default,—in other words, the following resolution, proposed by Mr. M'GHEE, was adopted by the meeting, only six or seven hands out of the four or five thousand being held up against it—

"That it appears to the Satisfaction of this meeting, that *Dens's Complete Body of Theology* has been adopted by the Roman Catholic Bishops of Ireland, as containing those principles which they approve for the guidance of the Roman Catholic priesthood since the year 1808, and set up for the conferences of the parties in the province of Leinster since the year 1831."

The calibre of Mr. M'GHEE's mind may be measured by the following extract from the speech which he pronounced on the passing of this resolution—

"My Lord, I beg to congratulate you, and this immense and respectable assembly, on the decision to which you have now come. You have this day decided a question which has from almost time immemorial baffled all the wit and ingenuity of some of the greatest men of successive ages. You have decided that which Pitt, with all his applications to Foreign Universities, could not achieve. You have come to a decision on a question on which some of the greatest of your statesmen were unable to draw a conclusion. You have decided, and decided, I must say, upon proofs which will carry conviction home to every impartial mind—you have shown what are the doctrines of the Roman Catholic Archbishop and Bishop of Ireland. Your decision will go down as a part of the history of the country. You have pronounced

that this work now before me is the authorized system of theology, sanctioned and adopted by the Roman Catholic hierarchy of Ireland; and in doing so, I am sorry to be obliged to say, that this book contains errors as bad, and doctrines as persecuting, as the worst enemies of the Church of Rome have ever charged her with entertaining."

It is not very necessary to point out the absurdity of concluding, that because a book is directed to be studied, all its contents are to be taken by the students for gospel; though that is but trifling compared with the enormous folly and impudence of the assumption that the packed meeting in Exeter Hall could determine what was the rule of faith of the Catholic hierarchy. Suppose Dr. MURRAY or Dr. M'HAY were to deny that *Dens* expounded their faith correctly; and to assert that his book was put into the hands of the Catholic priesthood only as an excellent study in the art of theological dialectics, and as a storehouse of the arguments in defence of all the decisions of Councils and Popes,—what, we say, could be replied to this? Even the sapient Lord KENYON could not pretend to know what a man believed, better than the man himself.

From the extracts from *Dens's* book read at the meeting, we should deem him a subtle and bold logician, who did not fear to follow out his principles to their remotest consequences. It is certain, that if any form of Christianity becomes connected with the State, its professors will be under the temptation to use forcible means to procure conformity, and cruel punishments to cure heresy; it is equally certain, that if texts from the Old Testament and analogies borrowed from the Jewish dispensation are admitted to have authority as guides of conduct in modern days (and even Protestant clergymen will be cautious how they maintain the reverse), violent means can be justified for the punishment of dissent from the established religion. It will be seen by the following extract from *Dens*, that he adopted this mode of justifying the putting to death of heretics. The question proposed is, "Are heretics justly punished by death? this is the answer—

"St. Thomas answers, 22*quest.* 11 art. 3 in corp. Yes; because forgers of money, or other disturbers of the state, are justly punished with death; therefore also heretics, who are forgers of the faith, and, as experience testifies, grievously disturb the faith."

This is confirmed, because God, in the Old Testament, ordered the false prophets to be slain; and in Deut. xvii. 12, it is decreed, that if any one will act proudly and will not obey the commandments of the priest, let him be put to death. See also the 18th chapter.

The same is proved from the condemnation of the 14th article of John Huss, in the Council of Constance.

The condemnation of Huss is in this way artfully defended by the quotation from the Old Testament. We give another extract to illustrate the acuteness of *Dens*. He is seeking to prove that liberty of conscience should not be allowed; and is answering the objection raised by the "dilemma of Gamaliel," who, in reference to the Apostles and their preaching and miracles, said, "Refrain from these men, and let them alone; for if this counsel or this work be of man, it will come to naught, but if it be of God, ye cannot overthrow it." To this argument *Dens* replies—

"We answer, 1st, This is a dilemma not of the sacred Scripture, but of Gamaliel, who, by this apparent argument, wished to rescue the Apostles, whom he favoured, from present danger."

"We answer, 2dly, that granting the argument of Gamaliel to be valid, there is this difference, that the cause of unbelievers is not doubtful to the judges of the Church as that of the Apostles was to the Jews; but it is clear that it is certainly false and condemned; whence it is not to be tried or approved, but extirpated, unless there may be some prudential reasons which may induce us to tolerate it."

This last clause is a saving one. We fear that if Mr. M'GHEE, Mr. O'SULLIVAN, and the rest of the clique, had their own way, prudential dictates would seldom prevent the extirpation of those whom they deemed heretics.

It is not necessary to follow this part of the subject any further. It cannot be denied, that authority for every kind of severity towards heretics may be found in one or another of the decrees of the old Councils, and in the writings of Catholic authors; but the injustice consists in imputing to the Catholics generally of the present day, the doctrines and opinions of the dark ages, or men of extreme opinions who wrote in later times; and the absurdity consists in persisting to impute a belief in these dogmas to men who utterly disavow them. Mr. SHEILA has the following remarks on this point, in a speech delivered at a meeting in Louth, in reply to a gentleman who called upon the Catholic hierarchy to disown the authority of the Councils—

"How much more wise it would be of Mr. M'Clintock, instead of referring us to the Council of Lateran, to refer his fellow-believers to the progress of events, to the universal diffusion of intelligence, and the material change which the religion both of Catholics and Protestants has undergone. The sphere of human knowledge has advanced, and the Catholic Church has been carried along in the universal progression. Our faith is the same, but our system of ecclesiastical government is wholly changed. Persecution cannot be considered as an ingredient in a man's creed. It may, indeed, be the result of his principles, but cannot be considered as of the essence of his belief. It were wiser

for Mr. M'Clintock to look at the declarations of Catholic Universities, denouncing the abominable doctrines imputed to us, to the recent protest of the Catholic Bishops of Ireland, and to the oath which every Roman Catholic takes, than to the moth-eaten volumes with which he has been replenishing his mind.

This extract was read at the Exeter Hall meeting, as well as some declarations from Mr. O'Connell and the Catholic Bishops, repudiating the monstrous doctrines sought to be fastened upon them; still the wise and liberal orators at the meeting persisted in assuring their auditory that the Catholics *did* hold these absurd and treasonable opinions notwithstanding. They knew that the man who wields the Catholic democracy with such ease and effect, is one of the most thoroughly liberal of modern politicians; they knew that he never lets slip an opportunity of advocating the cause of *perfect religious liberty*; and yet they maintained that this demigod of the Catholics was a heretic from his faith, if he disclaimed the opinions they said were his—they pretended to be better acquainted with the faith of the Catholics than the Catholics themselves are. This reminds us of a dispute between a Catholic and a Protestant of the O'SULLIVAN stamp, in which the latter charged the former with being a worshipper of images: the Catholic denied this for himself, and all his friends; whereupon the Protestant, in a rage, asked if he dared at this time of day to affirm that he, a Catholic, did not worship idols? Of course there was no use in replying to a person with this description of intellect.

It is singular that the zealots who are so eager to prove that the Catholics hold certain odious opinions, though the Catholics deny that such is a true account of their belief, do not perceive how easily the tables may be turned upon them. For instance, we might prove that all Calvinists would burn Socinians if they had the power, because the founder of their sect not only procured the death of *SERVETUS* at the stake, but actually wrote a letter describing the pleasure which this murder gave him. The Independents of our day, and the members of the Scottish Kirk, would either ridicule or be shocked at the charge of being in this matter disciples of CALVIN; but, according to the mode of argument adopted by the Irish clerical agitators, they could not escape from it. Again, the members of the Established Church in England might have the guilt of the burning of Catholics in the days of EDWARD the Sixth and ELIZABETH, and still later, of the Arians in Kent and elsewhere, fixed upon them. In short, if, in defiance of their own asseverations to the contrary, and of their course of life, the members of any sect are to be made liable for all that their rulers or leaders have done or said, there is no class of religionists which cannot be painted in black tints: assuredly the members of the Irish Church would be coloured with the darkest dye; for never was any religious system maintained at so great an expense of blood, or by means so uniformly infamous and unjust, as the Irish Church Establishment. The history of Protestant Ascendancy in Ireland, from the days of ELIZABETH and CROMWELL, when the natives were exterminated by thousands, to the comparatively mild Tithe campaigns and massacres of our own time, will justify this charge. The ministers of the Irish Church ought to be the last to throw stones at others: they ought to remain silent and sorrowful until they have taken the beam out of their own eye.

We have intimated that political agitation was at the bottom of this pretended zeal to unmask Catholicism; and an incident occurred at the meeting which proves it. Mr. M'GHEE alluded to the famous threat of "Death's-head and cross-bones," and produced an engraving of a figure of Death stretched upon a coffin, with assassins above it, and the inscription "There he is!" At the sight of this caricature, or as the reporter hath it, "this horrible device," an *indescribable sensation* was produced in the meeting. Were the auditory disgusted at this attempt to blacken a whole class of Christians; or did they really expect to find the picture nailed at their own doors when they returned from this Protestant meeting? If the latter, they must have been comforted by the information of Mr. M'GHEE that the engraving was about *three years old*; the copy he produced had been raked up to create an effect at the packed meeting in Exeter Hall. This exhibition showed the true aim and intent of the proceedings. The whole affair had a political object. They who believed that religion was at all in the thoughts of the Lords, Members of Parliament, and itinerant agitators, were gulled.

But let us have done with this "tomfoolery," as O'CONNELL justly called it, by allusion, in the House of Commons. It makes us blush to think that any considerable body of decently educated people in London should have been made the tools of such poor creatures as they who got up this meeting. We subjoin a list of their names; from which it will be seen, that, with the exception of one or two scheming politicians, who had their own game to play, the leading persons present are noted for nothing so much as intellectual ability, or stupid Andrew Agnewism.

The Earl of Roden, Earl Bandon, Viscount Mandeville, Lord Kenyon, Mr. Hardy, M. P., Mr. Pringle, M. P., Mr. Plumtre, M. P., Mr. Finch, M. P., Mr. Calcraft, M. P., Mr. F. Turner, M. P., Mr. Chisholm, M. P., Mr. F. Shaw, M. P., Mr. Verner, M. P., Mr. D. Jackson, M. P., Mr. Henry Maxwell, M. P., Sir Robert Bateson, M. P., Mr. J. E. Gordon.

Why did the Bishop of Exeter form one of this wise and pious party? His speech in the House of Peers on Thursday proves that he

belongs to the set. But the Bishop did his best in the way of agitation: it will not be his fault if the scheme of the "Protestant Unions" fails. Has he not a vacant living for Mr. M'GHEE? The poor man is understood to be anxious for something more solid than notoriety.—*Ibid.*

#### THE DORSETSHIRE LABOURERS. NECESSITY FOR PUBLICATION OF LAWS.

In a recent debate on education, one of the law officers (the Attorney-General, if we remember correctly) declared his doubt whether a Government was morally justified in punishing men to whom it had neglected to afford the means of instruction, so that they might learn the quality and consequences of their actions. With reference to this question, let us glance at our system.

In theory, it is supposed that the proceedings in Parliament are unknown to the people. According to the standing order, bills would be introduced, debated, and passed in secrecy; and when they had acquired the force of law, the privilege of publishing them at a high price would belong to the King's Printer. Thus, according to Parliamentary rule, the very existence of a new law could only be known to those who applied for information to the King's Printer, and the letter of the new law could only be known to those who could afford to purchase it. Instead of the most extensive promulgation, there is a narrow monopoly.

After the Act is in force, no step having been taken to apprise the people of its penalties, the work of example begins; and in our system it often happens, as in the case of the Dorsetshire labourers, that the rule is first learnt by the example. A crime is committed—is publicity the rule in this stage for the sake of the object of the example? The Court, indeed, is open to the few whom it may contain; but, according to the doctrine of several of the Judges—the present Judge Patteson among the number—it is illegal to publish the proceedings before the close of the trial. The newspaper is the only popular vehicle for such information; and as the newspapers could not afford space for long trials entire, the prohibition of their publication day after day, as the evidence appears, would put a stop to the reporting of the most important cases. Thus, according to the rules of a parliamentary and judicial procedure, from the proposal of a new law to the infliction of the sentence under it, nothing would be known to the public,—except, indeed, to that small portion of it which might happen to witness the trial or the punishment. The tyrant of old placed his tablet of laws where it could be seen, but not read. Is our system less barbarous in carelessness, than his in malice? But our practice, it may be said, is better than our rules. The standing order of Parliament is virtually null and void—the breach of privilege in the publication of the proceedings in Parliament, is daily committed—the object and effect of laws are made known in the business of debate—and the administration of them appears in the reports of legal proceedings. But what are the channels of such information! The newspapers—taxed so as to raise them as high as the tyrant's tablet above the ken of the labouring people. There is, therefore, not only a neglect of promulgation of the law, but obstacles are opposed by the Legislature to the knowledge of it. Scripture emphatically throws the responsibility of blood on him who has imposed the penalty of crime, without warning the criminal.

Our law carelessly holds that ignorance does not excuse offence; but while it affords no facility to information, it is contradicted by another of its maxims, that "no one is bound to an impossibility," and people cannot be presumed to know laws which they had no opportunity of knowing.

Some of the best practising lawyers have declared that they were not aware of the law under which so severe a sentence was passed upon the Dorchester labourers, and there is yet a doubt of the legality of the conviction. But supposing it to be legal, it is yet certain that their unconscious violation of law was made the handle for punishing conduct which was not illegal. They were found guilty of administering unlawful oaths, but their heavy sentence would not have been passed for that breach of an unknown law, enacted for another object, had it not been for the danger apprehended from Unions, upon which the Judge held forth.

The case of these poor men was brought forward by Mr. Wakley, with a temper and judgment which obtained praise from all parties. The grounds upon which Lord John Russell resisted the prayer for a pardon, seem to us quite foreign to the justice of the case.

He had ordered that at the end of a very short time—namely, as soon as the men had been two years abroad—four of them should be at full liberty to return to England. If in addition to what he had already done in the case of these men, he should advise the Crown to grant a full and entire remission of the whole sentence, the effect would be that the original punishment would be considered illegal.

This sort of argument reminds us of the foolish reason of George the Third, for insisting on hanging Dr. Dodd—that if Dodd were not executed the Perrots would have been murdered. We cannot see any reason for consistency in undue severity of justice. And when Lord John Russell adverts not to the intrinsic merits of the case, but to the opinion that might be formed upon a pardon, he should surely also take into consideration the opinion that may be formed upon the refusal of a pardon, and the opinion of wilful and obdurate injustice would be a

greater mischief than the opinion of the illegality of a sentence. A wise government will take care not to place the law in opposition to the sentiment of society.

When we see upon this occasion such stress laid upon the judgment of a court, and the respect due to it, we cannot forget another instance, not indeed of a poor labourer, but of a gentleman of powerful connexions, who was morally acquitted in the House of Commons of charges upon which he had been convicted in a court of justice. We allude to Mr. Bingham Baring's case. In that instance the leaders of the Whig party did not hold the judgment of a court in much respect, and morally set it aside upon the evidence of the party and another implicated with him, together with the usual ready witnesses as to character.

Mr. Whittle Harvey forcibly adverted to the case of the late Members for Ipswich, and others implicated in an offence which taints the very source of law with corruption, and impairs the securities for good government. The public will be curious to see how these offenders are dealt with, after the refusal of pardon to the Dorsetshire labourers. Mr. Harvey observed—

"To-morrow night an appeal would be made to them on behalf of a number of gentlemen who had violated some of the most sacred safeguards of the Constitution. The greater part of these gentlemen were lawyers, and could not plead ignorance of the statutes against which these unfortunate labourers had offended. To-morrow, however, a touching appeal would be made to their feelings of sympathy on account of the respectability of these gentlemen and the hardship to their families of having been in Newgate for nearly a fortnight. Yet, when a number of poor labourers, who had consulted how they might raise their starving wages of 6s. per week, were in question, after having suffered exile and degrading punishment for nearly two years, the house could only be got to consider this case, when the opinion of the nation was expressed in a general shout of discontent."

From the Parliamentary Report it will be seen that these anticipations of leniency have been realized. The House is marvellously indulgent to bribery.—*The Examiner*, June 28.

#### POPULATION OF SECTS IN IRELAND.

[EXTRACT FROM THE REPORT OF THE COMMISSION OF PUBLIC INSTRUCTION IN IRELAND.]

The population of Ireland consists of 852,064 of the Established Church, 6,427,712 Roman Catholics, 642,356 Presbyterians, and 21,808 other Protestant Dissenters; making, in the whole, 7,943,740 persons.

It appears that the proportion, per centum, borne by the several religious denominations in Ireland to the total population, is as follows:—The members of the Established Church, 10 726-1000; the Roman Catholics, 89 913-1000; the Presbyterians, 8 86-1000; and the other Protestant Dissenters, 275-1000. And, in reference to the proportions of the several religious persuasions, it is further observable that, whilst it does not appear to us that there is any unusual inequality in the distribution of the general population, it will be seen, upon a review of our Reports, that the members of the Established Church are very unequally dispersed over the country. It will accordingly be found that there are some benefices (more particularly in the southern and western parts of Ireland) in which there are no members of the Established Church; that there are others in which there are but a few; whilst, in others, more especially in the large towns, their number is considerably. The Roman Catholics are generally diffused over all parts of the country, but exhibit the largest numbers, as compared with the rest of the population, in the provinces of Dublin, Cashel, and Tuam. The Presbyterians reside chiefly in the province of Armagh; whilst the other Protestant Dissenters do not prevail in any peculiar district, but are, for the most part, inhabitants of towns.

It is also observable that, in some instances, from the great extent of the benefice, the members of the Established Church are widely scattered amongst the other inhabitants, whilst, owing to the lengthened form, or other local peculiarities of other benefices—they are at an inconvenient distance from the place of worship, or from the residence of the clergy assigned to them. The same inconvenience also occasionally arises from the fact that the parishes in union are not contiguous to each other, and that the intermediate distance is, in some cases, very considerable. Hence it happens that sometimes the parishioners resort to other places of worship are more conveniently situated for them, and that frequently the labours of the minister in the strict performance of his parochial duties must be unduly increased.

NUMBER OF BENEFICES  
In which there is more than one Church. 118  
In which there is only one Church. 1057  
In which there is no Church. 210  
In which the Incumbent is resident. 889  
In which the Incumbent is non-resident, but Divine Service is performed by him or a Curate in a Place of Worship. 339  
In which the Incumbent is non-resident, and no Divine Service is performed by him or a Curate in a Place of Worship. 157

NUMBER OF BENEFICES  
In which the entire population is not more than 100. 5  
In which the population is more than 100, and not more than 200. 7  
In which the entire population is more than 200, and not more than 500. 36  
In which the entire population is more than 500, and not more than 1000. 94  
In which the entire population is more than 1000, and not more than 3000. 368

In which the entire population is more than 3000, and not more than 5000. 277  
In which the entire population is more than 5000, and not more than 10,000. 405  
In which the entire population is more than 10,000, and not more than 15,000. 125  
In which the entire population is more than 15,000, and not more than 20,000. 37  
In which the entire population is more than 20,000, and not more than 30,000. 21  
In which the entire population is more than 30,000. 8

NUMBER OF BENEFICES  
In which there is no member of the Established Church. 44  
In which there is one, and not more than 20. 92  
In which there are more than 20, and not more than 50. 124

#### BECKFORD'S RECOLLECTIONS.

##### HIGH MASS.

As soon as we drew near, the valves of a huge open door were thrown open, and we entered the nave; which reminded me of Winchester in form of arches and mouldings, and Amiens in loftiness. There is a greater plainness in the walls, less panelling, and fewer intersections in the vaulted roof; but the utmost richness of hue at this time of day at least, was not wanting. No tapestry however rich, no painting however vivid could equal the gorgeously tinted, the splendour of the golden and ruby light which streamed forth from the long series of stained windows: it played flickering about in all directions, on pavement and on roof, casting over every object myriads of glowing mellow shadows, ever in undulating motion, like the reflection of branches swayed to and fro by the breeze. We all partook of these gorgeous tints; the white monastic garments of my conductors seemed as it were embroidered with brightest flowers of paradise, and our whole procession kept advancing invested with celestial colours.

Mass began as soon as the high prelatic powers had taken their stations. It was celebrated with no particular pomp, no glittering splendour; but the countenance and gestures of the officiating priests were characterized by a profound religious awe. The voices of the monks clear but deep-toned, rose pealing through vast and echoing spaces. The chant was grave any simple—its austerity mitigated in some parts by the treble of very young choristers. These sweet and innocent sounds found their way to my heart; they recalled to my memory our own beautiful cathedral service, and I wept! My companions too appeared unusually affected.

##### SPAIN NATURAL, AND SPAIN POLITICAL.

My recollections of Spain are of the most lively and delightful kind. The character of the soil and of its inhabitants—the stormy mountains and free spirits of the North—the prodigal luxuriance and gay voluptuousness of the South—the history and traditions of the past, resembling more the fables of romance than the solemn chronicle of events—a soft and yet majestic language, that falls like martial music on the ear, and a literature rich in the attractive lore of poetry and fiction,—these, but not these alone, are my reminiscences of Spain. With these I recall the thousand little circumstances and enjoyments which always give a colouring to our recollections of the past; the clear sky, the pure balmy air, the delicious fruits and flowers, the wild fig and the aloe, the palm-tree and the olive by the wayside,—all, all that makes existence so joyous, and renders the sons and daughters of that clime the children of impulse and sensation.

As I write these words, a shade of sadness steals over me. When I think what that glorious land might be, and what it is—what nature intended it should be, and what man has made it—my heart sinks within me. My mind instinctively reverts from the degradation of the present to the glory of the past; or, looking forward with strong misgivings but with yet stronger hopes, interrogates the future.

The banished armour of the Cid stands in the archives of the Royal Museum of Madrid; and there, too, is seen the armour of Ferdinand and Isabel, of Guzman the Good, and Gonzalo de Cordova, and of other early champions of Spain; but what hand shall now wield the sword of the Campeador, or lift up the banner of Leon and Castile? The ruins of Christian Castle and Moorish alcazar still look forth from the hills of Spain; but where, O where is the spirit of freedom that once fired the children of the Goth? Where is the spirit of Bernardo del Carpio, and Perez de Vargas, and Alonso de Aguilar? Shall it for ever sleep? Shall it never again beat high in the hearts of their degenerate sons? Shall the descendants of Pelayo bow for ever beneath an iron yoke, like cattle whose de pair is dumb?

The dust of the Cid lies mingling with the dust of Old Castile; but his spirit is not buried with his ashes. It sleeps, but is not dead. The day will come when the foot of the tyrant shall be shaken from the neck of Spain; when a brave and generous people, though now ignorant, degraded, and much abused, shall "know their rights, and knowing, dare maintain." But I am no political seer—I will dwell no longer on this theme.

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